

**UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF LOUISIANA  
SHREVEPORT DIVISION**

ERNEST RANDAL COMEAUX

CIVIL ACTION NO. 06-367-P

VERSUS

JUDGE S. MAURICE HICKS, JR.

RICHARD STALDER, ET AL.

MAGISTRATE JUDGE HORNSBY

**MEMORANDUM ORDER**

Before the Court is a Magistrate Appeal (Record Document 58) filed by the plaintiff, Ernest Randal Comeaux. The plaintiff appeals from an order of June 14, 2007, wherein the magistrate judge denied the plaintiff's letter motion to have his withdrawn money reimbursed. See Record Documents 56-57.

The June 14, 2007 order is not a recommendation to the district court; rather, it is an order from the magistrate judge on a non-dispositive matter that requires the district court to uphold the ruling unless it is clearly erroneous or contrary to law. See 28 U.S.C. § 636(b)(1)(A); see also Castillo v. Frank, 70 F.3d 382, 385 (5th Cir. 1995) & Perales v. Casillas, 950 F.2d 1066, 1070 (5th Cir.1992). After a thorough review of the record, including the procedural history of this case and the case law cited by the plaintiff, the Court finds that the order of June 14, 2007 was neither clearly erroneous nor contrary to law. Accordingly,

**IT IS ORDERED** that the Magistrate Appeal (Record Document 58) be and is hereby **DENIED**.

**THUS DONE AND SIGNED**, in Shreveport, Louisiana, on this 17<sup>th</sup> day of July, 2007.

  
S. MAURICE HICKS, JR.  
UNITED STATES DISTRICT JUDGE